

RECEIVED
CENTRAL FAX CENTER
AUG 25 2006

REMARKS

Reconsideration of the above-identified patent application, as amended, is respectfully requested.

Claims 6, 7 and 8 have been rejected in view of the prior art and have been cancelled herewith. Claims 9-12 have been indicated as allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 9-12 have therefore been amended accordingly. Claims 13-15 have been allowed.

Applicant has herein added new claims 16-22.

Claim 16 defines the restraint for a passenger as comprising a seat with a seat portion, back portion and side portions connected together to form a cavity tailored shape to form fit around a specific passenger. A back insert is removably mounted to the back portion and is replaceable when destroyed during crash. The insert is produced from a type of plastic different from the type of plastic used to produce the seat so as to have greater shock absorption even though destroyed during crash. Support for the added requirement is found at the top of page 8 of the specification. Claims 17 and 18 define the type of plastic used for the seat and the insert. Claim 19 defines the back portion as including an opening in which the back insert is mounted. Such a seat having a tailored cavity produced of the aforementioned materials is not shown by the cited references and it is therefore believed claim 16-19 should be allowed.

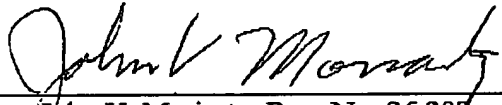
Claims 20-22 define a restraint formed by a process wherein a scanable profile of the passenger is obtained from the enclosure of flexible plastic that has formed and hardened around the passenger positioned on the enclosure. The claim positively recites

Amendment Response
Serial No. 10/796,743 Group Art Unit 3616
Atty. Docket No. 5656-3
Page 6 of 7

the cavity of the seat is formed from a scanable profile of the passenger obtained from the enclosure that has formed and hardened around the passenger. Such structural limitations are not suggested by the cited art and it is therefore believed claims 20-22 are allowable. Further, claim 21 requires the back insert as being removable mounted so as to be replaced if destroyed during crash whereas claim 22 requires a seat portion, back portion and side portion to be connected together in a main body produced from plastic.

For the above reasons, it is believed the subject application is in condition for allowance and such action by the Examiner is respectfully requested.

Respectfully submitted,

By 
John V. Moriarty, Reg. No. 26,207
Woodard, Emhardt, Moriarty,
McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456